

- 1 (a1) (1) Any volunteer medical or health care provider at a facility of a local  
2 health department or at a nonprofit community health ~~center; or~~  
3 center;  
4 (2) Any volunteer medical or health care provider rendering services to a  
5 patient referred by a local health department as defined in G.S. 130A-  
6 2(5) or nonprofit community health center at the provider's place of  
7 ~~employment, employment; or~~  
8 (3) Any volunteer medical or health care provider serving as medical  
9 director of an emergency medical service (EMS) agency,

10 who receives no compensation for medical services or other related services rendered at  
11 the ~~facility or center~~ facility, center or agency or, who neither charges nor receives a  
12 fee for medical services rendered to the patient referred by a local health department or  
13 nonprofit community health center at the provider's place of employment shall not be  
14 liable for damages for injuries or death alleged to have occurred by reason of an act or  
15 omission in the rendering of the services unless it is established that the injuries or  
16 death were caused by gross negligence, wanton conduct, or intentional wrongdoing on  
17 the part of the person rendering the services. The local health department ~~facility or~~  
18 facility, nonprofit community health center center, or agency shall use due care in the  
19 selection of volunteer medical or health care providers, and this subsection shall not  
20 excuse the health department ~~facility or facility,~~ community health ~~center center,~~ or  
21 agency for the failure of the volunteer medical or health care provider to use ordinary  
22 care in the provision of medical services to its patients.

23 (b) Nothing in this section shall be deemed or construed to relieve any person from  
24 liability for damages for injury or death caused by an act or omission on the part of  
25 such person while rendering health care services in the normal and ordinary course of  
26 his business or profession. Services provided by a volunteer health care provider who  
27 receives no compensation for his services and who renders first aid or emergency  
28 treatment to members of athletic teams are deemed not to be in the normal and  
29 ordinary course of the volunteer health care provider's business or profession. Services  
30 provided by a medical or health care provider who receives no compensation for his  
31 services and who voluntarily renders such services at facilities of local health  
32 departments as defined in G.S. 130A-2 or at a nonprofit community health center, or  
33 as a volunteer medical director of an emergency medical service (EMS) agency, are  
34 deemed not to be in the normal and ordinary course of the volunteer medical or health  
35 care provider's business or profession.

36 (c) In the event of any conflict between the provisions of this section and those of  
37 G.S. 20-166(d), the provisions of G.S. 20-166(d) shall control and continue in full  
38 force and effect.

39 Sec. 2. This act is effective upon ratification and applies to services rendered  
40 on or after that date.